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through partnership

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August 17, 2020

**Via ECF**

Hon. Louis L. Stanton  
United States District Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: Dresser-Rand Co. v. Petróleos de Venezuela, S.A., et al, No. 19-cv-02689-LLS**

Dear Judge Stanton:

We represent plaintiff Dresser-Rand Company (“D-R”). We write in response to defendant Petróleos de Venezuela, S.A.’s (“PDVSA”) pre-motion letter dated August 13, 2020 (ECF No. 85) (the “Pre-Motion Letter”), in which PDVSA requests a pre-motion conference regarding PDVSA’s contemplated motion for issuance of letters of request for international judicial assistance to obtain discovery from Dinosaur Merchant Bank Ltd. (“Dinosaur Merchant”) and China CITIC Bank (“China CITIC”) purportedly related to PDVSA’s impossibility defense (the “Motion”).

D-R does not object to PDVSA making the Motion, on the condition that the Motion does not prolong, or otherwise impact, the parties’ stipulated discovery schedule. On June 30, 2020, the parties reached an agreement that all fact discovery in this matter would be completed on or before September 4, 2020. PDVSA has been aware of international service issues since at least June 18, 2020—the date outside counsel for Dinosaur Financial Group, LLC informed PDVSA that it had to serve its subpoena on Dinosaur Merchant in London.<sup>1</sup> Thus, there is no legitimate basis for PDVSA to be afforded additional time to search for documents relating to its futile impossibility defense and in order to further delay trial.

D-R, however, reserves the right to object to the Motion, on both procedural and substantive grounds, if and when the Motion is filed. D-R also reserves its rights under the Stipulated Confidentiality and Protective Order (ECF No. 41) in this matter. We thank the Court for its time and attention to this matter.

Respectfully submitted,

*/s/ Jordan W. Siev*

Jordan W. Siev

cc: All Counsel of Record (*via ECF*)

<sup>1</sup> Likewise, on July 17, 2020, the Head of Compliance of China CITIC Bank International informed PDVSA that it had to serve its subpoena on China CITIC Bank, located in China with a branch in London.